



**SCHULTE  
ROTH +  
ZABEL**

May 9, 2024

VIA ECF

Hon. Judge Dale E. Ho  
U.S. District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

Application **GRANTED**. Defendant shall answer, move, or otherwise respond to the Complaint by **June 13, 2024**. So Ordered.

Dale E. Ho  
United States District Judge  
Dated: May 10, 2024  
New York, New York

**RE: Letter-Motion Request for Extension of Time – *DiGiovanni v. Ergoteles*, Case No.: 1:24-cv-01804 (DEH)**

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Dear Judge Ho:

Schulte Roth & Zabel LLP is counsel to Defendant in the above referenced action. We write pursuant to Section 2(e) of your Honor's Individual Practices to request an extension to Defendant's May 13, 2024 deadline to submit its motion to dismiss Plaintiff's complaint because the parties are engaged in advanced settlement discussions. This is Defendant's first request for an extension of this deadline. Counsel to Plaintiff consented to this request and the parties request an extension until June 13, 2024. The parties do not currently have an appearance scheduled before the Court.

Thank you for your attention to this matter.

Respectfully Submitted,

/s/ Scott A. Gold  
Scott A. Gold

cc: All counsel of record via ECF